STATEMENT OF OBJECTS AND REASONS

The present law of Sea Customs contained in the Sea Customs Act (VIII of 1878) was enacted 72 years ago and although it has been amended in some matters as appeared expedient to Government under the British rule, it appears that the law is not suitable to the conditions existing to-day. Owing to the great rise in the rates of customs duty in all the articles of imports and exports and the penalties which the Customs officers are now authorised to inflict under the Act, it is absolutely necessary that the powers vesting in the Customs Authorities should be restricted and proper provision should be made for appeals. Necessary provisions have accordingly been made in this Bill. The suggested amendments to the Sea Customs Act, 1878 are therefore considered urgently necessary.

R. K. SIDHVA.

BILL NO. 25 OF 1951.

A Bill to provide for certain matters relating to dowry.

BE it enacted by Parliament as follows :—

1. *Short title, extent, commencement and application.*—(1) This Act may be called the Dowry Act, 19 .

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(4) It shall apply in the first instance to Hindus, Budhists, Sikhs and Jains, but the Central Government may, by notification, direct that it shall apply to members of any other community also.

2. *Definitions.*—In this Act, unless the context otherwise requires :—

(*a*) "dowry" means any property transferred or agreed to be transferred as a part of the contract of any betrothal or marriage by one party to the betrothal or marriage or the father, mother or guard of that party to the other party to the marriage or to the father, mother or guardian of the other party, but does not include voluntary marriage gifts such as ornaments to a bride and dresses to a bridegroom the value of which do not exceed one thousand rupees.

(*b*) "marriage means a marriage between any two persons to whom this Act applies.

3. *Dowry to be held in trust for wife.*—(1) Where a dowry is given after the commencement of this Act, such dowry shall deemed to be the property of the woman in connection with whose marriage it was so given.

(2) Where a dowry is received by any person other than the woman in connection with whose marriage it was given and is not transferred by that person to the woman that person shall be deemed to hold it in trust for the benefit and separate use of that woman, and, if that woman dies before obtaining the transfer, for the benefit and separate use of her heirs as if it is *stridhana* property.

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to discourage the taking or giving of dowries. This practice has now assumed such large proportion that the parents are finding it difficult to get their daughters married and girls both educated and uneducated are averse to ideas of marriage on account of the trouble their parents are put to in finding the money for the payment of dowry.

The object of this Bill is however limited to ensuring that the dowry when given should be solely for the benefit of the bride.

It is intended by this Bill to constitute the holder of the dowry, who is generally either the bridegroom or his parents, a trustee of the dowry for the benefit of the woman so that she can always enforce her right at any moment. This Bill also intends to make her economically independent.

G. DURGABAI.

BILL No. 27 OF 1951.

A Bill to provide for restraining the taking or giving of dowry in connection with marriages and for matters incidental thereto.

BE it enacted by Parliament as follows :—

1. *Short title, extent, commencement and application.*—(1) This Act may be called the Dowry Restraint Act, 19 .

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(4) It shall apply in the first instance to Hindus, Buddhists, Sikhs and Jains, but the Central Government may, by notification, direct that it shall apply to members of any other community also.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "dowry" means any property transferred or agreed to be transferred as a part of the contract of any betrothal or marriage by one party to the betrothal or marriage or the father, mother or guardian of that party to the other party to the marriage or to the father, mother or guardian of the other party, but does not include voluntary marriage gifts such as ornaments to a bride and dresses to a bridegroom, the value of which do not exceed one thousand rupees.

(b) "marriage" means a marriage between any two persons to whom this Act applies.

3. *Penalty for taking dowry.*—A person who takes dowry shall on conviction be punishable with simple imprisonment which may extend to six months or with fine which may extend to the amount or value of the dowry taken or with both.

4. *Penalty for giving dowry or abetment thereof.*—A person who gives dowry or abets the giving of dowry shall on conviction be punishable with